



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

February 28, 2019

Mr. Marshal J. Hoda  
Gibbs & Bruns LLP  
1100 Louisiana Street Unit 5300  
Houston, TX 77002

RE: Request Number: EPA-HQ-2019-002036

Dear Mr. Hoda,

This letter concerns the above-referenced Freedom of Information Act (FOIA) request, received by the U.S. Environmental Protection Agency (EPA) Freedom of Information Office, in which you are seeking:

1. All non-privileged written opinions and communications, including those authored by the Office of Legal Counsel, that the U.S. Environmental Protection Agency (EPA) treats as its effective law and policy concerning its settlement authority or ability to provide contribution protection to settling parties under the Comprehensive Environmental Response, Compensation, and Liability Act;
2. All contracts, statements of work, guidelines, directions, or workplans executed by EPA and any neutral retained to aid in resolving a controversy and/or allocating liability at any of the Relevant Sites (as defined below), or otherwise provided by EPA to such a neutral;
3. All settlement agreements, consent decrees, administrative settlement agreements and orders on consent, administrative orders on consent, or similar agreements EPA entered into or reached with Potentially Responsible Parties (PRPs) with respect to the Relevant Sites;
4. Complete administrative records supporting any settlement EPA reached with any PRP with respect to any of the Relevant Sites.

The Office of Site Remediation Enforcement (OSRE) has searched all locations likely to contain responsive documents and found that the information you are seeking is either publicly available or with the appropriate regional office. We are providing you with a URL link to publicly available information on EPA's Superfund enforcement policies and settlement information. This link is the best repository for publicly available information on policies,

guidances and model documents. They are indexed topically. The URL link to our web site for the information you are seeking is: <https://www.epa.gov/enforcement>.

Regional offices manage individual Superfund sites, relying on the policies and model documents developed by Headquarters. If you would like information related to a specific regional site, you will need to send a FOIA request to the appropriate regional office for any responsive records they may have.

This letter concludes our response to your request. You may appeal this response by email at [hq.foia@epa.gov](mailto:hq.foia@epa.gov), or by mail to the EPA's National FOIA Office, U.S. EPA, 1200 Pennsylvania Avenue, N.W. (2310A), Washington, DC 20460 or through FOIAonline if you are an account holder. If you are submitting your appeal by hand delivery, courier service, or overnight delivery, you must address your correspondence to 1200 Pennsylvania Avenue, N.W., Room 5315, Washington, DC 20460. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The Agency will not consider appeals *received* after the 90-calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked "Freedom of Information Act Appeal."

Additionally, you may seek assistance from EPA's FOIA Public Liaison at [hq.foia@epa.gov](mailto:hq.foia@epa.gov) or (202) 566-1667, or from the Office of Government Information Services (OGIS). You may contact OGIS in any of the following ways: by mail, Office of Governmental Information Services, National Archives and Records Administration, Room 2510, 8610 Adelphi Road, College Park, MD 20740-6001; email, [ogis@nara.gov](mailto:ogis@nara.gov); telephone, (301) 837-1996 or (877) 684-6448; fax, (301) 837-0348.

Should you have any questions concerning this matter, please feel free to contact Antoinette Powell-Dickson at (202) 564-5136 or [powell-dickson.antoINETte@epa.gov](mailto:powell-dickson.antoINETte@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Patterson", with a stylized flourish extending to the right.

Kenneth Patterson

Director

Regional Support Division

Office of Site Remediation Enforcement